Petition and Remonstrance Process*

for bond issue or lease rental with a preliminary determination after July 1, 2008.

Publish notice of preliminary determination hearing at least 10 days before the hearing.

IC 6-1.1-20-3.1(b)(1)

The petition and

remonstrance

process only

the following

for academic

controlled projects:

- A school building

instruction of any

combination of

grades K-8 that

will cost between: (1) more than the

lesser of \$2 million

within the political

or 1 percent of

the total gross

AV of property

minimum); and (2) \$10,000,000.

- A school building

instruction of any

combination of

grades 9-12 that will cost between:

(1) more than the lesser of \$2 million

or 1 percent of

the total gross

AV of property within the political

minimum); and (2)

controlled project

between: (1) more than the lesser

of \$2 million or

1 percent of the

total gross AV of

property within the political

last assessment

date (\$1 million

of \$12 million

or 1 percent of

total gross AV of

property within the political

subdivision on

subdivision on the

minimum) and (2)

less than the lesser

subdivision (\$1 million

\$20,000,000.

- Any other

that will cost

for academic

subdivision

(\$1 million

applies to

Hold preliminary determination public hearing to adopt resolution/ordinance to issue bonds or enter lease to finance project.

IC 6-1.1-20-3.1(b)(2), (3)

Publish notice of the preliminary determination within 30 days after the passage of the ordinance or resolution (i.e., maximum term of bonds/lease, maximum principal amount of bonds or lease rental, etc.)

IC 6-1.1-20-3.1(b)(4)

After notice of preliminary determination is published, a petition on a State Board of Accounts form (Forms 201K-L**) requesting the application of the petition and remonstrance process may be filed by the lesser of 100 real property owners/registered voters residing in the political subdivision or 5% of the registered voters residing within the political subdivision.

IC 6-1.1-20-3.1(b)(7)

File petitions with the county voter registration office not more than 30 days after publication of notice of the preliminary determination results to issue bonds/enter lease.

IC 6-1.1-20-3.1(b)(8)

County voter registration office determines whether each person who signed the petition is a registered voter. No later than 15 business days after receiving a petition, the county voter registration office must forward a copy of the petition to the county auditor.

IC 6-1.1-20-3.1(b)(8)

No later than 10 business days after receiving the copy of the petition from county voter registration office, the county auditor must provide to the county voter registration office a statement verifying: (1) whether a person who signed the petition as a registered voter but is not a registered voter is the owner of real property in the political subdivision; and (2) whether a person who signed the petition as an owner of real property does in fact own real property within the political subdivision.

IC 6-1.1-20-3.1(b)(9)

No later than 10 business days after receiving the verification from the county auditor, the county voter registration office must make the final determination of the number of valid petitioners that are registered voters and real property owners within the political subdivision.

IC 6-1.1-20-3.1(b)(10)

If the political subdivision is a township, the county voter registration office must file a certificate and each petition with the township trustee who must present the petition(s) to the township board within 35 business days of the filing of the petition requesting the petition and remonstrance process.

IC 6-1.1-20-3.1(b)(10)

If the political subdivision is not a township, the county voter registration office must file a certificate and each petition with the body that can authorize the issuance of the bonds or the execution of a lease within 35 business days of the filing of the petition requesting the petition and remonstrance process.

IC 6-1.1-20-3.2(b)(1)

If a sufficient petition has been filed, political subdivision must publish notice of the applicability of petition and remonstrance process one time no later than 30 days after the date the county voter registration office files the certificate with the political subdivision.

IC 6-1.1-20-3.2(b)(2)-(4)

30 to 60 days after the notice of the applicability of petition and remonstrance process is published, petitions in favor of and remonstrances against the bonds or lease may be filed with county voter registration office by an owner of real property within the political subdivision or a registered voter residing within the political subdivision. State Board of Accounts forms are to be used (Forms 201A - B, 201E - G**) and cannot be obtained before the 29th day. Each signature must be dated. Petitions and remonstrances must be verified and filed with the county voter registration office by the 60th day.

IC 6-1.1-20-3.2(b)(5)

County voter registration office determines whether each person who signed the petition/remonstrance is a registered voter. No later than 15 business days after receiving a petition/remonstrance, the county voter registration office must forward a copy of the petition/remonstrance to the county auditor.

IC 6-1.1-20-3.2(b)(5)

No later than 10 business days after receiving the copy of the petition/remonstrance, the county auditor must provide to the county voter registration office a statement verifying: (1) whether a person who signed the petition/remonstrance as a registered voter but is not a registered voter is the owner of real property in the political subdivision; and (2) whether a person who signed the petition/remonstrance as an owner of real property does in fact own real property within the political subdivision.

IC 6-1.1-20-3.2(b)(6)

No later than 10 business days after receiving the statement from the county auditor verifying real property owner status, the county voter registration office must make the final tally of the number of eligible voters or real property owners who signed a petition form or remonstrance form.

IC 6-1.1-20-3.2(b)(7)

Within 35 business days of the filing of the petition/remonstrance containing 10,000 signatures or less, the county voter registration office must file a certificate and the petition or remonstrance with the political subdivision charged with issuing bonds or entering into leases. Voter registration office may take an additional 5 days to review and certify for each additional 5,000 signatures up to a maximum of 60 days.

IC 6-1.1-20-3.2(b)(8)

If the greater number of qualified persons sign a remonstrance than a petition, the bonds may not be issued or the lease may not be entered into. One year wait from date county voter registration office filed certificate of results with political subdivision to make new preliminary determination on the project or any other project not substantially different from defeated project.

IC 6-1.1-20-3.2(b)(8),(9)

IC 6-1.1-20-7.5

If the greater number of qualified persons sign a petition than a remonstrance, the bonds may be issued or the lease may be entered into.

*Taxing units with appointed boards, such as libraries, must first receive approval of city, town or county fiscal body (whichever is applicable) before issuance of bond or lease rental agreements.

The city, town or county fiscal body approval would occur prior to the preliminary determination hearing in these cases.

IC 6-1.1-17-20.5

**Forms are available at the county voter registration office.

last assessment date (\$1 million *minimum.*) IC 6-1.1-20-3.1(a)

Department of Local Government Finance